

FEB 19 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

OFELIA RODRIGUEZ; et al.,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 05-76987

Agency Nos. A75-682-823
A75-682-824

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted February 6, 2008
Pasadena, California

Before: KOZINSKI, Chief Judge, O'SCANNLAIN and W. FLETCHER, Circuit
Judges.

To the extent that petitioners challenge the Board of Immigration Appeals
decision to affirm the denial of cancellation of removal due to a failure to establish
an "exceptional and extremely unusual hardship," 8 U.S.C. § 1229b(b)(1)(D), we
lack jurisdiction. *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

To the extent that petitioners argue that they have a parental right to raise their U.S. citizen children in the United States, *cf. Troxel v. Granville*, 530 U.S. 57, 65 (2000), they have failed to make a colorable constitutional claim. *See Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001).

DISMISSED.